

10/070349  
JCP Sec'd PCT/PTO 28 FEB 2002

Attny Docket No. P1096/20003  
PTO Customer No. 03000

Applicants : Christopher John FARRELL

Title : ORAL APPLIANCE

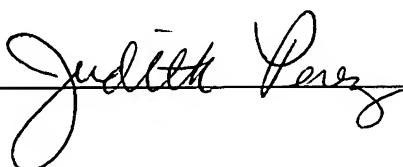
The following documents are submitted for the above-identified invention for entry into the U.S. National stage under 35 U.S.C. §371, based on the International Application No. PCT/AU99/00840, which includes the following:

1. Petition To Revive Unintentionally Abandoned Application, in duplicate;
2. Application Data Sheet
3. Two (2) sheets of Transmittal Letter;
4. Calculation sheet, in duplicate;
5. Cover sheet of International Publication;
6. Preliminary Amendment and attached Abstract;
7. International Preliminary Examination Report; and
8. Return Receipt Post Card

"Express Mail" Mailing Label No. EL 932 778 895 US  
Date of Deposit February 28, 2002

I hereby certify that the above-identified documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PCT, Attention RO/EO/US, Commissioner for Patents Washington, D.C. 20231,

Judith Perez



Attny Docket No. P1096/20003  
PTO Customer No. 03000

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

International Application No. : PCT/AU99/00840  
International Filing Date : September 29, 1999  
Priority Date Claimed : Australian Application Nos. PP 7743 and PQ 1386  
Filed December 16, 1998 and July 2, 1999,  
respectively  
Title of Invention : ORAL APPLIANCE  
Applicant : Christopher John FARRELL  
1<sup>st</sup> Floor, Helensvale Plaza  
Sir John Overall Drive  
Helensvale, QLD 4210, Australia

Box PCT (EO/US)  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
3. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.

4. The International Application as filed (35 U.S.C 371(c)(2)) has been transmitted by the International Bureau. A copy of the cover sheet of the international application as published on June 22, 2000, under International Publication No. WO 00/35369 is enclosed.
5. A copy of the International Preliminary Examination Report is enclosed.
6. A Preliminary Amendment and an Abstract of the Disclosure are enclosed.
7. Petition To Revive Unintentionally Abandoned Application under 37 CFR 1.17(m), in duplicate is enclosed.
8. Calculation sheet, in duplicate, is attached.
9. An Application Data Sheet is enclosed.

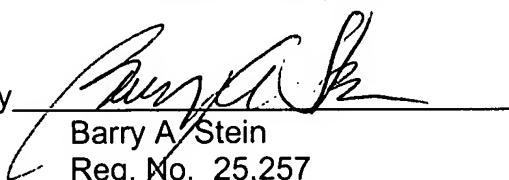
This application and items attached are being transmitted after the 30 month claimed priority date.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

February 28, 2002

By



Barry A. Stein  
Reg. No. 25,257  
12th Floor, Seven Penn Center  
1635 Market Street  
Philadelphia, PA 19103-2212  
Attorneys for Applicant  
Tel. No. 215-567-2010

**CALCULATION SHEET  
BASIC NATIONAL FEE (37 CFR 1.492(1)(1)-(5):**

**Claims Fee**

	Claims Filed	Extra Claims	Rate	Calculation
Total Claims	10	0	x 18	\$
Independent Claims	2	1	x 84	\$
Multiple Dependent Claims			x280	
<b>Basic Fee</b> U.S. PTO was not International Preliminary Examination Authority. Search report on the international application was not prepared by the European Patent Office				\$1,040.00
Reduction by ½ for filing by small entity (THE APPLICATION IS ENTITLED TO SMALL ENTITY STATUS)				<u>525.00</u>
				<b>\$ 525.00</b>

Please charge counsel's account no. 03-0075 in the amount of \$525, or any additional amount which may be required, to cover the above fees. A duplicate copy of the calculation sheets is enclosed.

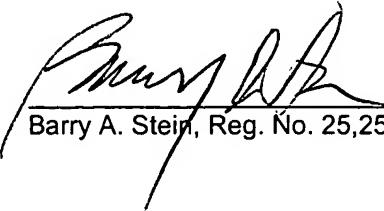
**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of this application to counsel's deposit account:

1. 37 CFR 1.492(a)(1), (2), (3) and (4) (filing fees)
2. 37 CFR 1.492(b), (c) and (d) (presentation of extra claims)
3. 37 CFR 1.17 (application processing fees)
4. 37 CFR 1.492(e) and (f) (surcharge fee for filing declaration and/or filing an English translation of an International Application later than 30 months after the priority date)

03-0075  
Deposit Account

February 28, 2002  
Date

  
Barry A. Stein, Reg. No. 25,257

44

PATENT  
Attny Docket No. P1096/20003  
PTO Customer No. 03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant : Christopher John FARRELL

Serial No. : U.S. national stage application  
based on PCT/AU99/00840  
filed September 29, 1999

Priority : British Application Nos. PP 7743 and PQ 1386  
Filed December 16, 1998 and July 2, 1999,  
respectively

Invention : ORAL APPLIANCE

**RECEIVED**  
**12 MAR 2002**  
**Legal Mail**  
**International Division**

**PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION UNDER 37 CFR 1.17(m)**

BOX PCT  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a Petition to revive a national application in the United States as designated in international patent Application No. PCT/AU99 /00840. This latter application claims priority from earlier applications filed in Australia on December 16, 1998 and July 2, 1999. Accordingly, filing of the national application claiming the foreign filing dates was required to be filed no later than June 16, 2001 (the 30-month deadline).

Applicant did enter Chapter II proceedings in a timely manner, but unintentionally failed to file the U.S. national application within the 30-month deadline from the earliest priority date.

03/11/2002 MALI11 00000087 030075 10070349

02 FC:241 640.00 CH

The entire period of abandonment through the date of this reply was unintentional.  
No terminal disclaimer is required.

Please charge the Petition fee of Six Hundred Forty Dollars (\$640), or any additional fee associated with the submission of the enclosed national phase application to counsel's deposit Account No. 03-0075. A duplicate copy of this Petition is enclosed. The applicant is entitled to small entity status.

Enclosed herewith are copies of the following papers for entry into the U.S. national phase under 35 U.S.C. 371:

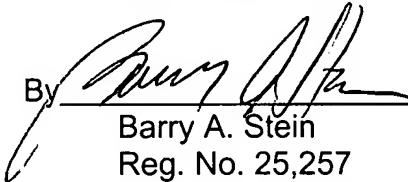
1. Application Data Sheet
2. Transmittal Letter;
3. Calculation sheet, in duplicate;
4. Preliminary Amendment, with Abstract;
5. Cover sheet of International Publication; and
6. International Preliminary Examination Report

Respectfully submitted,

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